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3 **UNITED STATES DISTRICT COURT**
4 **SOUTHERN DISTRICT OF NEW YORK**

5 NOCHUM C. WILNER and ESTY WILNER,

6 Plaintiffs,

7 vs.

8 LEOPOLD & ASSOCIATES, PLLC.,

9 Defendants.
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CASE NO. 7:15-cv-09374-KMK

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12 **DECLARATION OF JENNIFER M. KEOUGH REGARDING DISTRIBUTION OF**
13 **SETTLEMENT BENEFITS**

14 I, JENNIFER M. KEOUGH, declare and state as follows:

15 1. I am Chief Executive Officer at JND Legal Administration (“JND”). The
16 following statements are based on my personal knowledge and information provided to
17 me by other JND employees working under my supervision and, if called on to do so, I
18 could and would testify competently thereto.

19 2. JND is a legal administration services provider with its headquarters
20 located in Seattle, Washington. JND has extensive experience in all aspects of legal
21 administration and has administered settlements in hundreds of cases. As CEO, I am
22 involved in all facets of JND’s operation including monitoring the implementation of
23 our notice and claims administration programs.

24 3. JND is serving as the Settlement Administrator in the above-captioned
25 litigation (“Action”) for the purposes of administering the Class Action Settlement
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1 Agreement (“Settlement Agreement”) approved by the Court in its January 25, 2022
2 Final Judgment Approving Class Action Settlement Agreement (“Final Judgment”).

3 4. This Declaration is being filed to provide updated statistics regarding
4 settlement administration and a final report of the distribution of settlement benefits.

5 **COURT APPROVAL OF DISTRIBUTION**

6 5. As of the date of this Declaration, JND has completed the distribution of
7 the Settlement Fund pursuant to the Court’s Final Judgment, which approved the
8 distribution of Settlement payments to all Remaining Class Members.

9 **SETTLEMENT PAYMENTS TO CLASS MEMBERS**

10 6. As of the date of JND’s previous Declaration¹, there were 1,900 Remaining
11 Class Members, who are those Class Members who did not request exclusion and whose
12 Notice was not returned as undeliverable. In the intervening months, an additional 74
13 Notices were returned as undeliverable. Therefore, the final number of Remaining Class
14 Members was 1,826.

15 7. Pursuant to the Settlement Agreement, the Settlement Fund was divided
16 equally among all Remaining Class Members. Each Remaining Class Member was
17 issued a check for \$6.57.

18 8. On February 7, 2022, JND mailed checks to the 1,826 Remaining Class
19 Members, totaling \$11,996.82.

20 **REMAINING SETTLEMENT FUNDS**

21 9. A total of 600 checks, adding up to \$3,942.00, were cashed or deposited.
22 The remaining 1,226 checks, with a total value of \$8,054.82, have not been cashed or
23


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25 _____
26 ¹ DECLARATION OF JENNIFER M. KEOUGH REGARDING DISSEMINATION OF NOTICE AND
ADMINISTRATION OF SETTLEMENT, executed on November 18, 2021.

1 deposited. In addition, \$3.18 remained in the Settlement Fund after the pro rata
2 calculations. Therefore, the final amount of undistributed Class Funds was \$8,058.00.

3 10. On May 20, 2022, JND mailed to Class Counsel a check in the amount of
4 \$8,058.00, made payable to The Legal Aid Society of Westchester County.
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6 I declare under penalty of perjury under the laws of the United States that the
7 foregoing is true and correct.

8 Executed on June 1, 2022, at Seattle, Washington.
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11 JENNIFER M. KEOUGH
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